REMARKS

In light of the final Office Action mailed on August 23, 2006, Applicant respectfully requests reconsideration of all rejections in view of the foregoing amendments and the following remarks. Claims 1-38 have been cancelled and new claims 39-67 have been added. Claims 39-67 are currently pending.

I.   Request For Interview

Applicant respectfully requests an interview with the Examiner prior to issuance of another Office Action to discuss the scope of the new claims vis-à-vis the prior art. The undersigned can be reached at the number listed below.

II.   Support For New Claims 39-67

Two sets of method claims have been added to better describe the claimed subject matter. No new matter has been added by these claims.

Independent claim 39 is specifically directed to a method for performing knowledge discovery. This claim is supported by the specification at least at ¶¶ 18-20 and 32-34. Claims 40-50, which are dependent from claim 39, are supported by the specification at least at ¶¶ 18-20, 32-34, and 39.

Independent claim 51 is also specifically directed to a method for performing knowledge discovery. This claim is supported by the specification at least at ¶¶ 18-20. Dependent claims 51-67 are supported by the specification at least at any one or more of ¶¶ 18-20, 32-34, 40, 43, and 45.

III.   Blair And The Other Prior Art Cited By The Examiner Do Not Anticipate Nor Render Obvious Claims 39-67

Although the outstanding rejections are rendered moot by the cancellation of claims 17-38, new claims 39-67 are clearly not anticipated nor rendered obvious by the prior art cited by the Examiner, namely U.S. Patent Publication No. 2002/0007373 to Blair *et al.* ("Blair"); U.S. Patent Publication No. 2005/0149494 to Lindh *et al.* ("Lindh"); and United States Patent No. 5,383,120 to Zernik.

A.   Blair Fails To Disclose Each And Every Element Of Independent Claims 39 And 51

Blair fails to disclose each and every element of new independent claims 39 and 51. Blair refers to a process by which users may generate a document search and retrieval workflow,

and may add human-readable notes and other arbitrary content to be associated with a particular document, such as a patent application. *See, e.g.,* Blair at ¶¶ 73, 74, 218, and 219; and Figs. 6 and 16. Blair does not disclose, *inter alia,* "retrospective metatagging" or "reindexing" as claimed, but rather a user-defined manual annotation process. Now turning to the particulars of the claims:

1. Independent Claim 39

Blair does not disclose "generating a set of pairwise associations between elements of said subset of members" and "calculating a value, for each pairwise association, representative of the number of times that each respective pairwise association occurs across said subset of members" as recited in claim 39. Blair briefly touches on a number of types of searching that may be performed, but does not provide any details of how these types of searching are implemented, either individually or collectively. *See id.* at ¶ 102. Claim 39 specifically recites generating a set of pairwise associations between elements of a data corpus and then further determining the number of times that each pairwise association occurs across the data corpus. For example, pairwise associations of nouns and/or noun phrases can be extracted from a text-based data corpus during Level 2 Pairwise Associative Processing. *See, e.g.,* Specification at ¶ 34. Blair does not disclose either of these two claimed steps.

Blair also does not disclose "generating retrospective metatagging based on one or more of said set of pairwise associations, wherein said step of generating restrospective metatagging comprises the step of modifying said ranking function" as recited in claim 39. "Retrospective" metatagging is just that, metatagging in consideration of past events, e.g., feedback from Level 2 processing as disclosed in the specification. *See id.* Blair's annotation process is not retrospective metatagging. Even assuming, *arguendo,* that Blair's annotation process is similar in some respect, Blair does not disclose generating annotation based on pairwise associations (such as between concepts as recited in dependent claim 44, for example) or by modifying a ranking function. Retrospective metatagging is unique to Applicant's claimed method for performing knowledge discovery.

2. Independent Claim 51

Blair does not disclose "determining said second degree of correlation among a subset of said data corpus; and reindexing said members of said data corpus with metatags according to said metatagging scheme based on said determined second degree of correlation" as recited in

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claim 51. Again, Blair briefly touches on a number of types of searching that may be performed, but does not provide any details of how these types of searching are implemented. *See id.* at ¶ 102. Blair merely illustrates the notion of iterative searches. *See id.* at Fig. 37. Blair does not disclose indexing members of a data corpus and then reindexing those members based on a different degree of correlation among data than the degree used in the prior indexing. For example, as disclosed in the specification, reindexing of members of a data corpus during Level 1 processing may be performed based on feedback associated with Level 2 processing. Blair does not disclose any reindexing mechanism whatsoever.

B.   Blair Does Not Provide An Enabling Disclosure To Support Iterative Searching As Illustrated In Fig. 37

Applicant respectfully submits that Fig. 37 of Blair, which the Examiner has relied upon in the previous Office Action, is not sufficient anticipatory prior art to establish iterative searching. Anticipation requires proof that the allegedly invalidating publication contains each and every element of the claimed invention and also enables one of skill in the art to make and use the claimed invention. *See, e.g., Amgen, Inc. v. Hoechst Marion Roussel, Inc.*, 314 F.3d 1313, 1354 (Fed. Cir. 2003). Blair provides no disclosure describing how to implement the iterative searching shown in Fig. 37. Rather, only one sentence in the entire detailed description section of Blair refers to Fig. 37. *See* Blair at ¶ 116 ("Fig. 37 illustrates another view of the knowledge management capabilities of the invention which is somewhat similar to Fig. 30."). Fig. 37, by itself, does not enable one of ordinary skill in the art to make and use iterative searching and more particularly, does not teach nor enable a feedback loop as opined by the Examiner in the outstanding Office Action at page 13. Fig. 37 of Blair is not sufficiently enabling to put the public in the possession of iterative searching. Accordingly, it is improper to rely on Fig. 37 as anticipatory prior art.

C.   Lindh Fails To Cure The Deficiencies Of Blair

Lindh fails to cure the deficiencies noted above with respect to Blair. Lindh discloses a concept vector, which conceptually classifies the contents of each document with a document corpus. *See, e.g.,* Lindh at abstract. Lindh fails to disclose retrospective metatagging or reindexing based on feedback from a higher level abstraction of data correlation as noted above and claimed.

D. Zernik Fails To Cure The Deficiencies Of Blair

Zernik fails to cure the deficiencies noted above with respect to Blair. Zernik discloses a technique for injecting corpus-based preference into syntactic text parsing. *See, e.g.,* Zernik at abstract. Zernik fails to disclose retrospective metatagging or reindexing based on feedback from higher level abstraction processing as noted above and claimed.

Accordingly, Blair, either taken alone or in combination with Lindh and/or Zernik, fails to disclose, teach, or suggest every element of claims 39 and 51, and all claims dependent therefrom, i.e., claims 40-50 and 52-67.
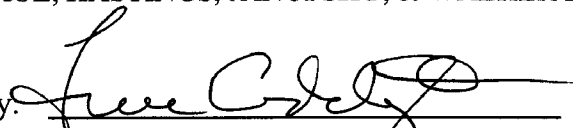
IV. Conclusion

In view of the foregoing, it is respectfully submitted that the present application is in condition for allowance, and an early indication of the same is courteously solicited. Applicant is concurrently submitting a Request for Continued Examination and a Request for a One-Month extension of time, along with the requisite fees. In the event that the U.S. Patent and Trademark Office requires any additional fee to enter and/or consider this Response, or to prevent abandonment of the present application, please charge such fee to the undersigned's Deposit Account No. 50-2613.

Respectfully submitted,

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